

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

LUMBERMENS MUTUAL CASUALTY COMPANY *

Plaintiff

*

Case No: CCB 03-CV-70

v.

*

KAYWELL CORPORATION

*

Defendant

*

* * * * *

NON-MILITARY AFFIDAVIT

I, David D. Gilliss, being over the age of twenty-one and competent to testify, and having personal knowledge of the facts contained herein, state as follows:

1. I am one of the attorneys of record for the Plaintiff, Lumbermens Mutual Casualty Company, in this action.

2. This Affidavit is made pursuant to the Soldiers' and Sailors' Relief Act of 1940, 50 U.S.C. § 520 and to be filed simultaneously with Plaintiff's Motion for Judgment by Default.

3. Upon information and belief, the Defendant Kaywell Corporation: (a) is not in the military service of the United States of America; (b) is not in the military service of any nation allied with the United States of America; (c) has not been ordered to report for induction under the Selective Training Act of 1940; and (d) is not a member of the enlisted reserve corps who have been ordered to report for military service.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY AND UPON PERSONAL KNOWLEDGE THAT THE CONTENTS OF THE FOREGOING PAPER ARE TRUE AND CORRECT.

This 24th day of April, 2003.

A handwritten signature in black ink, appearing to read "D. Gilliss", written over a horizontal line.

David D. Gilliss